

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION

DOCKET NO:

04-CV-11467 MAP

**DOUGLAS DYNAMICS, LLC, d/b/a/ WESTERN
PRODUCTS,**

Plaintiff,

v.

B & P SUPPLY, INC.,

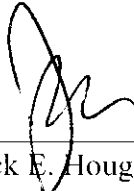
Defendant

**DEFENDANT'S
MOTION FOR
LEAVE TO FILE
OPPOSITION
TO MOTION FOR
SUMMARY JUDGMENT
LATE**

NOW comes B & P Supply, Inc., through counsel in the above-mentioned matter and respectfully moves this Honorable Court to allow it to file its Opposition to the Motion For Summary Judgment filed by the Plaintiff Douglas Dynamics, LLC, d/b/a/ Western Products on or about July 15, 2005, late. The Defendant's Opposition, together with Affidavit of Peter A. Dus with attached exhibits and Memorandum of Law In Opposition to Western's Motion For Summary Judgment was heretofore filed with the Court on Friday, August 5, 2005. For reasons, counsel for the Defendant, B & P states that he mistakenly and erroneously believed that he was permitted to file said Opposition, Affidavit, and Memorandum within twenty-one (21) days of service, similar to Massachusetts Superior Court Rule 9A. Accordingly, counsel for the Defendant respectfully requests this Court to allow him to file his Opposition, Affidavit of Peter A. Dus, and Memorandum in Opposition To Motion For Summary Judgment, late. Additionally, counsel for the Defendant requests that he be allowed to file a Reply Memorandum within seven (7) days of service following the receipt of any Reply Memorandum by Plaintiff's counsel.

B & P Supply, Inc.
By Its Attorney,

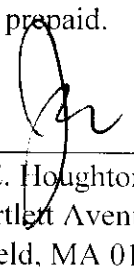
Dated: August 8, 2005



Jack E. Houghton, Jr.
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(413) 447-7385
B.B.O. # 241040

CERTIFICATE OF SERVICE

I, Jack E. Houghton, Jr. hereby certify that I have, this 8th day of August, 2005 served the within Defendant's Motion For Leave To File Opposition To Motion For Summary Judgment Late, by mailing same to the Attorney For the Plaintiff, Christopher R. Drury, Esq., Pierce Atwood LLP, One Monument Square, Portland, ME 04101, by first class mail, postage prepaid.



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